

Postal Regulatory Commission

Washington, D.C. 20268-0001

NOTICE OF FILING UNDER 39 U.S.C. § 404(d)

TO THE UNITED STATES POSTAL SERVICE:

Please take notice that the Commission received six petitions for review of the Postal Service's determination to close the Barnes City post office in Barnes City, Iowa. The first petition for review received January 11, 2012, was filed by Virginia Likens. The second petition for review received January 11, 2012, was filed by Josephine Henry. The third petition for review received January 11, 2012, was filed by Phyllis J. Rauch. The fourth petition for review received January 18, 2012, was filed by Diane E. Henry. The fifth petition for review received January 18, 2012, was filed by Jennifer L. Henry. The sixth petition for review received January 18, 2012, was filed by Alva and Karen Calvert. The earliest postmark date is January 4, 2012.

This notice is advisory only and is being furnished so that the Postal Service may begin assembling the administrative record in advance of any formal appeal proceedings held upon the alleged (closing/consolidation) for transmittal pursuant to 39 CFR § 3001.113(a) (requiring the filing of the record within 15 days of the filing with the Commission of a petition for review). The Postal Service's administrative record is due no later than January 26, 2012.



Shoshana M. Grove
Secretary

Date: January 19, 2012

Attachment

A 2012-117

Received

January 3, 2012

JAN 09 2012



Virginia Likens
1064 Urbana Ave
Barnes City, IA 50027

RECEIVED
Office of PAGER

To Postal Regulatory Comm.

Dear Sir: 2012 JAN 11 P 4: 28

Your commission was referred to me. I could contact. I understand you have the ability to help us retain our postoffice here at Barnes City, Iowa. I certainly hope and pray this is true. I don't know how I could get along without it.

I am 87 years old, suffering from arthritis. I am pretty much housebound - my postal connection is my lifeline. I would be eternally grateful for your help in maintaining our relatively new post office. Not only is it important to the older citizens, but our young people need it as a safe place to wait for the school bus.

Please use your influence to help us. Thank you -

Sincerely,

Virginia Likens

A2012-117

RECEIVED

Dear Postal Commission

I'm writing 2012 JAN 11 REL:38
our post office in Barnes City,
Iowa. I do not drive anymore
how would I get stamps also
mail a package. There are a
lot of people like me.

Why do you treat old people
like this? It's not right and
you know it.

The post office takes good care
of us wait until you get old.

Thanks

Mrs Josephine Henry

230 Cherry St

Barnes City, Ia. 50027

1/4/2012

A2012-117

RECEIVED

Postal Regulatory Commission

901 New York Ave NW Suite 200

Washington, DC 20268-0001

2012 JAN 11 P 1:38

The Barnes City Iowa post office is a very important part of a small community. It is where people go to find out all the news and well being of the community. Front Street Mfg sends a lot of items out. The Barnes City Telephone Company depends on the post office for its operation. The post office is a place where small children can wait for the school bus every morning.

I know there is a lot of expense to keeping the post office open but I think there are other ways to keep it in operation. We can not depend on the post office in Montezuma.

Please think of how you are going to shut down an already small town.

Phyllis J. Rauch

435 Spruce

Barnes City, Ia 50027-0050



Received

JAN 09 2012

Office of PAGR

A2012-117

1-9-2012

Dear PRC,

I'm writing in response to the closing of the Barnes City Post Office.

RECEIVED

2012 JAN 18 A 10:49

I don't think that it is fair that we in the rural areas should have to do without our post offices. When cities such as Oskaloosa IA have a post office and 2

POSTAL REGULATORY
COMMISSION
OFFICE OF THE SECRETARY

Small towns or suburbs next to city such as Beason IA and University Park IA each have an office when they are both less than 3 miles from the Oskaloosa office, but yet it is ok to consider closing an office that is at least 8 miles or more from ^{another} office.

I have used the closest Post office once and they treated me like I was stupid and an outsider and not very helpful at all.

We have several people here in town that do not drive so going out of town to get stamps or to mail packages is going to be very hard for them to do. I know your theory is that we can get all these things done by a rural carrier but the rural carrier doesn't stop or make it to town at the same time everyday and he will not be able to stop at every house on a daily basis.

I personally do not want my mail sitting in a cluster box all day where just anyone may have access to it. I prefer to have my mail in a secure area such as our local Post office here in Barnes City.

Over

When we had our meeting. The person that was here to represent the post office was pushing for us to use USPS.com, and order packing supplies, stamps, and to print mailing labels but most people here in Barnes City do not have computers to do this.

With my husbands job he is to get his medicine through the mail and if the post office is closed here we are unsure what we are going to do since they do not want to send it if the temps are under 50°-60°. So that will be hard to get during the winter months.

I also don't like the thought of Bank statements and Credit Cards statements or my bank deposits being left out in a box where anyone can get to it. I really prefer the security of my local Barnes City Post office.

I would like you to really reconsider the closing of our office. This is one of the only places that community happenings can be posted, also the Post office is the only place that the kids who wait for the school bus have to wait when weather is bad.

Received

JAN 17 2012

Office of PAGR

Please reconsider

Deane Ehlert
Barnes City IA 50007

A 2012-117

To the United States postal department,

RECEIVED

2012 JAN 18 P 4:43

I am writing you this letter as a very concerned citizen and owner of two small businesses in Barnes City, Iowa. I am writing in regards to the possible closing of the Barnes City post office. As a small business owner it is going to be really hard to get the items and packages mailed I need to do for my businesses, if I have to go out of town to get stamps and to get my package weighed. As I don't use the flat rate boxes. It will have to travel to Montezuma or New Sharon to do this. And considering the price of gasoline which is supposed to go up in price by the summer I will be losing lot of money just driving to either of these towns to take care of my packages and to get stamps. As I don't have a computer at my house. I am writing this letter from my friend's house.

Another issue I have is that I don't want my mail sitting out by the road in cluster boxes for anyone to try and get. I also have mail that can not be in extreme cold or heat and in Iowa we have both temps. If these packages do sit outside they will be ruined, which means I will be losing more money as a small business owner. I also don't want my bills and bank statements out by the street for people to try and get. Some people in this town are not trustworthy. As the deliver driver does not always come at the same time everyday. And if I am working I can't go get the mail right away. I need my mail to be protected inside the building where it is temperature controlled.

Another concern of mine is I have a couple neighbors that are elderly and don't have a car to drive or a computer to get any information off of. I don't know how they are going to get anything mailed if it needs to be weighted or need stamps. There is not also someone around to take them and it will be an inconvenience for them to find someone to take them also.

Please really consider this letter and don't close the Barnes City, Iowa post office. It will make life much simpler if you didn't. And as our government isn't that wait you are supposed to do. Not to make life hard and more expensive to med to low income residents of my town.

Sincerely Concerned citizen and business owners,

Jennifer L. Henry

A handwritten signature in cursive script that reads "Jennifer L. Henry". The signature is written in dark ink and is positioned below the printed name.

A2012-117

January 10, 2012

Ruth Y. Goldway, Chairman Postal Regulatory Commission
901 New York Avenue N.W., Suite 200
Washington, D.C. 20268-0001

RECEIVED

2012 JAN 18 P 4:44

Dear Chairman Goldway:

POSTAL REGULATORY
COMMISSION

The United States Postal Service has issued a final determination to close the Barnes City IA Post Office, docket #1354056-500027 (A2012-117) and provide delivery and retail services by rural route service under the administrative responsibility of the Montezuma, Iowa Post Office.

We are submitting this request for an appeal as we believe the postal service seem to forget that they are a **Service** to the people not a business.

The Postal Service's decision to close our post office and provide rural delivery service raises questions concerning the sanctity of the mail. The Barnes City Post Office lobby is open 24 hours a day so our mail is safe and available. If we cannot get out for a day or two we do not need to worry about someone tampering with our mail. The option to rent a PO Box in Montezuma is not providing the same service. We currently walk to get our mail, if we rent a box in Montezuma we would have to drive 15 miles. Since we live in Barnes City, people will assume that our address is Barnes City not Montezuma and this would cause our mail to be returned undeliverable. Switching our address from PO Box to rural address could also cause our mail to be returned undeliverable.

Attached is a copy of the lease that the Landlord furnished to us. Their lawyer told us since the termination clause was not filled in the USPS is obligated to pay the rent for the next five years and that they (Mr. and Mrs. Marks) would not agree under any conditions to terminate the lease. Their lawyer also said that they would consider taking action as a vacant building would cause them financial harm. This information would make the cost savings greatly reduced.

Doris Freeborn (PMR) has been working at the Barnes City Post Office for over 20 years and is currently serving as the OIC. She has been a exemplary employee and is a well respected member of the Barnes City Community. There is no nearby facility that currently has a vacancy that she could be reassigned to and it is insincere of the USPS to suggest that they would even make the attempts to do so.

We feel that, as citizens of the United States, we are entitled to the same efficient postal service provided to our counterparts in urban areas. The Postal Reorganization Act, is explicit in pointing this out. We petition you, as members of the Postal Regulatory Commission, to respectfully consider our protest and order the Postal Service to give additional considerations to our service needs.

Respectfully Submitted,



Alva Calvert
City Councilman
Town of Barnes City
PO Box 65
Barnes City IA 50027-0065



Karen Calvert
Treasurer
Barnes City American Legion Auxiliary
PO Box 65
Barnes City IA 50027-0065

**Exercise of Renewal Option****Facility Name/Location:**

BARNES CITY- MAIN OFFICE (180630-003)
610 SPRUCE ST, BARNES CITY, IA 50027-7709

County : MAHASKA
Lease: 100000000713

To

DON H MARKS
AND ROCHELLE C MARKS CO TRUSTEES
OF THE DON AND ROCHELLE MARKS FMLY
320 S SPALDING DR
BEVERLY HILLS, CA 90212-3609

Certified Mail #
70060100000125411400

Issuing Office

WESTERN FSO 160 INVERNESS DRIVE WEST SUITE 400
ENGLEWOOD, CO 80112-5005

Date of Existing Lease: 12/17/1991

The existing Lease has no amendments.

Pursuant to the Lease covering this facility, the Postal Service hereby exercises its option to renew said Lease as follows:

Term: 5 Years From (Date): 11/01/2011 To (Date): 10/31/2016 Annual Rate: \$ 11,175.00

In all other respects, the said Lease shall remain the same and is hereby confirmed.

Remarks

Exercising first available five-year Renewal Option. Three five-year Renewal Options Remain.

Thank you for providing this property for postal use.

Signature

Date
10/28/2009

Name of Contracting Officer
Candace Kinne

(3) Repairs resulting from Acts of God or of a public enemy.

(4) Repairs resulting from defects in building construction or installation of equipment, fixtures, or appurtenances furnished by the lessor.

(5) Repairs resulting from fire or other casualties, unless such casualties were caused by the acts or negligence of employees or agents of the Postal Service.

(6) Any ordinary repairs by the Postal Service which were made necessary by the failure of any element for which the lessor is responsible.

d. When the need arises for repairs which are the responsibility of the lessor, the Postal Service will (except in emergencies) give the lessor written notice of the needed repair and will specify a reasonable deadline for completion of the work. A copy of such notice will also be sent by certified or registered mail to the lessor's mortgagee and assignee of monies due or to become due pursuant to this lease. These names will have been furnished to the Postal Service by the lessor. If none of these parties (lessor, mortgagee, or assignee) proceed with the work with such diligence so as to ensure completion within the time specified in the notice (or any extension thereof granted at the sole discretion of the Postal Service) or actually fails to complete the work within said time, the Postal Service has the right to perform the work, by contract or otherwise, and withhold the cost of such work from payments due under this lease. Alternatively, the Postal Service may, at its sole discretion, cancel this lease. In addition, the Postal Service may proportionally abate the rent for any period the premises, or any part thereof, are determined by the Postal Service to have been rendered unavailable to it by reason of such condition.

A40 PAYMENT OF UTILITIES (Clause OB-631) (August 1998)

The lessor agrees to pay all fees and costs for connections to the public water and/or public sewerage systems that are, or may become available. During the continuance of the lease, the Postal Service will pay recurring costs for the following utilities:

Fuel, Power, Public Water and Private sewer. USPS will also pay for Snow and Trash removal and Custodial Service.

provided that each is separately metered.

A41 EQUIPMENT, UTILITIES, AND SERVICES (Clause OB-674) (June 1999)

Unless otherwise specified herein, the lessor must furnish suitable flag staff, proper post office sign and a ten-pound multi-purpose fire extinguisher for all class fires, as well as other equipment as may be specified.

A42 CONDITIONAL TERMINATION (Clause OB-6247) (November 1999)

This lease may not be terminated during the base term. After the base term:

a. This lease may be terminated upon _____ days notice in writing to the lessor whenever, in the judgement of the Postal Service, the growth of the service at this office renders additional room necessary and the lessor is unable or unwilling to furnish suitable and sufficient additional space at an additional rental satisfactory to the Postal Service.

b. This lease may be terminated upon _____ days notice in writing to the lessor whenever the Postal Service decides to move its office into a facility owned by the Postal Service.

A43 LESSOR'S SUCCESSORS (Clause OB-658) (June 1999)

The terms and provisions of this lease and the conditions herein are binding on the lessor, and all heirs, executors, administrators, successors, and assigns.

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09) (April 1990)

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